

REMARKS

Claims 1, 3, 6, 8, 9, 12, 14, 17, 20, 21, 24 and 25 are pending in this application. By this Amendment, claims 1, 6, 12, 17, 24 and 25 are amended and claims 2, 4, 5, 7, 10, 11, 13, 15, 16, 18, 19, 22 and 23 are canceled. Reconsideration based on the above amendments and following remarks is respectfully requested.

I. The Claims Define Patentable Subject Matter

Claims 1-8 and 20-25 are rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 5,706,431 to Otto in view of U.S. Patent No. 5,815,722 to Kalwitz; and claims 9-19 are rejected under 35 U.S.C. §103(a) as unpatentable over Otto in view of Kalwitz and further in view of U.S. Patent No. 5,737,536 to Herman. These rejections are respectfully traversed.

The applied art does not teach, disclose or suggest a first rewrite unit that when an old/new judgment unit judges that the same type of software program stored in the another peripheral device is older than the software stored in the memory, rewrites the same type of software program stored in the another peripheral into the software program stored in the memory and a second rewrite unit that, when the old/new judgment unit judges that the same type of software program stored in the another peripheral device is newer than the software stored in the memory, rewrites the software program stored in the memory into the same type of software program stored in the another peripheral device, as claimed in claim 1 and similarly claimed in claims 6, 12 and 17.

Otto discloses revision of information stored in the various level nodes in which the information stored in the upper level node is sent to the lower level node for revision or update purposes. However, the information stored in the lower level node is not sent to the upper level node for revision or update purposes.

Particularly, Otto discloses a system for distributing updates to nodes of a hierarchical communications network that cascade the updates through the network as a function of its hierarchy (col. 1, lines 16-20). In Otto a first node functions as a server for the second node and the second node functions as a server for the third node and in the hierarchical structure, particular levels have control or precedence over other levels. In particular, in Otto, the status reporting circuitry associated with the second node collects and transmits the current status of the second node to first node (in the hierarchical/tree-based or flat network). The information revising circuitry associated with the first node then receives the current stats of the second nodes and determines whether a revision of the second node information is required. If revision of the second node is required, the first node transmits the revision to the second node (col. 2, lines 24-44).

Claims 1, 6, 12 and 17, as amended, distinguish over the applied art. That is, the recited features of the claimed invention distinguish over Otto because the claimed invention now recites that updating the software program can be implemented bi-directionally between peripheral devices.

Kalwitz and Herrmann do not make the deficiencies of Otto discussed above. As such, dependent claims 3, 8, 9, 14, 20, 21, 24 and 25 are distinguishable over the applied art for at least the reasons discussed above as well as for the additional features they recite. Withdrawal of the rejection of the claims under 35 U.S.C. §103(a) is respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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Attachment:

Petition for Extension of Time

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